UNITED STATES PATENT AND TRADEMARK OFFICE

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10/593,452	11/20/2006	Tsuyoshi Sato	8091-1002	8919

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EXAMINER
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ART UNIT	PAPER NUMBER
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NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DocketingDept@young-thompson.com

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>21 April 2010</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>25-47</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>25-47</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>19 September 2006</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some * c) ☐ None of:

      1. ☒ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1. With respect to applicant's amendments filed 7/1/2009, claims 25-47 remain

pending in the instant application.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 25 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply

with the enablement requirement. The claim(s) contains subject matter which was not

described in the specification in such a way as to enable one skilled in the art to which it

pertains, or with which it is most nearly connected, to make and/or use the invention.

Specifically the requirement that "*The acquiring unit acquires second identification

information that includes navigation information that is the device identification

information of the second device.*"

There is no disclosure or support in the specification which describes any method of

using navigation information to identify a device, nor is there a background of such a

practice in the art which would enable one of ordinary skill in the art at the time of the

invention to use navigation information of any sort to identify a device.

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

5.   Claim 25 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

Specifically, Claim 25 requires "*The acquiring unit acquires second identification*

information that includes navigation information that is the device identification

information of the second device," however there is no support in the specification for

such a limitation, nor is there any suggestion or teaching in the prior art as to navigation

information being used to identify a device. Because the method one would use to

pursue the use of navigation information to identify a device remains undefined, the

claim remains indefinite.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hale et

al. (US 5,938,709) hereafter "Hale" in view of Chu-Chia et al. (US 6,646,873) hereafter

"Chu-Chia."

Regarding claim 26, discloses a portable information processor that is attachable and

detachable to a first device and a second device that is installed indoors, the portable

information processor being portably detached from the first device and the second

device, comprising:

a storage unit configured to store information; (Col 5, lines 13-27)

an acquiring unit configured to acquire information from the first device and the second

device; (Col 5, lines 13-27 note the bus is designed for IO and acquiring information

from both devices)

and

a control unit configured to control one of the first device and the second device that is

connected to the portable information processor, based on the operation information,

(Col 5, lines 46-59, Col 6, lines 29-51) wherein

when the portable information processor is connected to the first device, the acquiring

unit acquires first identification information that is the device identification information of

the first device, and first acquired information that is the other information acquired from

the first device, (Col 5, lines 13-27 note the bus is designed for IO and acquiring

information from both devices. Further, it is well known and appreciated in the art that

devices must be identified before paring in order to configure any drivers and use the

external devices properly)

the generating unit generates first operation information that is the operation information

of the first device, based on the first identification information, the first acquired

information, and the information stored in the storage unit, (Entire disclosure of Hale –

note that it is directed towards the operation of a field mapping system with different

mapping functionalities on the "core system" and the "computer" note this would require

information to differentiate between the two systems for functionality be it on a driver or

programmitic level and the disclosure specifically notes map information is used which

is originally supplied by the computer to the memory card - Col 6, lines 29-52) and

the storage unit stores the first operation information and map information, (as above,

note the intent of the disclosure is to store for use)

when the portable information processor is connected to the second device, the

acquiring unit acquires second identification information that is the device identification

information of the second device, and second acquired information that is the other

information including position information that indicates the current position of the

mobile unit, (as above, note the program uses at least device information as discussed

above and GPS information from the core device which is stored on the card for

mapping purposes)

the generating unit generates second operation information that is the operation

information of the second device and that includes at least navigation information,

based on the second identification information, the second acquired information, the first

operation information stored in the storage unit, and the map information, (as above,

note the program uses at least device information as discussed above, GPS information

from the core device and the map information gathered from the computer) and

the control unit controls the second device based on the second operation information.

(as above)

While Hale programmatically discloses all of the limitations of the claimed invention,

Hale does not specifically show the connector "splitting" the device into sections exactly

as claimed Chu-Chia discloses such limitations as exemplified below:

a connecting unit configured to connect the portable information processor to either one

of the first device and the second device; (Abs; Fig 1b, 1c, 1d, 1f, 2, 3, 3a, 3b, 3c, 3d,

3e, 3f, 4, Col 3, lines 11-30)

a generating unit configured to be supplied with a driving power from a power source of

the first device and the second device, and to generate operation information indicative

of an operation executed by the first device and the second device, based on device

identification information and other information that are acquired by the information

acquiring unit, and on the information stored in the storage unit; (Col 1, lines 13-27; Col

1, lines 47-62; Col 2, line 45 – Col 2, line 43

the second device is installed in a mobile unit, (Col 3, lines 11-19)

the second device includes a position detecting unit configured to detect a current

position of the mobile unit, (Col 3, lines 11-19)

Note that while Chu-Chia discloses 2 different connectors (one for PC and one for peripherals, both are adaptable to general IO and it would have been obvious to one of ordinary skill in the art at the time of the invention to standardize the IO ports used in order to reduce overall hardware requirements and device costs. Further, because both the implementation of Hale and Chu-Chia are directed towards that of GPS navigation, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Hale with those of Chu-Chia in order to enable a Personal Digital Assistant the ability to expand in order to carry out the navigation method of Hale.

7.   Claims 27-31, 34-36, and 38-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hale et al. (US 5,938,709) hereafter "Hale"

Regarding claim 27, Hale discloses a portable information processor that is attachable and detachable to a plurality of devices including a mobile device installed in a mobile unit and an indoor device installed indoors, and that is portable being detached from the devices, comprising:
a storage unit configured to store information; (Col 5, lines 13-27)
a connecting unit configured to connect the portable information processor to either one of the mobile device and the indoor device; (Col 5, lines 13-27)

an acquiring unit configured to acquire information from the mobile device and the

indoor device; (Col 5, lines 13-27 note the bus is designed for IO and acquiring

information from both devices)

a generating unit configured to be supplied with a driving power from a power source of

the mobile device and the indoor device, (inherent in the implementation as memory

cards do not have their own power connectors but instead are powered by the devices,

further Harari discloses a general specification for an implementation of the Compact

Flash data format which is a standard and widely used format and power connectors

are clearly shown) and to generate operation information indicative of an operation

executed by the mobile device and the indoor device, based on device identification

information and other information that are acquired by the information acquiring unit,

and on the information stored in the storage unit; (Entire disclosure of Hale – note that it

is directed towards the operation of a field mapping system with different mapping

functionalities on the "core system" and the "computer" note this would require

information to differentiate between the two systems for functionality be it on a driver or

programmitic level and the disclosure specifically notes map information is used which

is originally supplied by the computer to the memory card - Col 6, lines 29-52)

and a control unit that controls one the mobile device and the indoor device that is

connected to the portable information processor, based on the operation information,

(Col 5, lines 46-59, Col 6, lines 29-51)

wherein the mobile device includes a position detecting unit configured to detect a

position of the mobile unit; (Col 6, lines 1-29)

a display unit, (Col 5, lines 28-59)

the indoor device includes an input unit through which command information is input by

a user; (Col 5, lines 13-27, while the disclosure of Hale does not specifically disclose the

user inputting information from the "computer system" this is disclosed as a typical PC

with input capabilities and it would have been both trivial and obvious to one of ordinary

skill in the art at the time of the invention to use the existitng input system of the

computer in order to allow the operater to input known information about the field)

and a communication unit configured to communicate information with an information

source, (as above – note this includes the memory bus)

the storage unit stores at least map information, (Col 5, lines 13-27)

when the portable information processor is connected to the mobile device, the

acquiring unit acquires the device identification information of the mobile device,

position information on a position of the mobile unit detected by the position detecting

unit (as above, note the program uses at least device information as discussed above

and GPS information from the core device which is stored on the card for mapping

purposes)

the generating unit generates navigation information for the mobile unit based on the

map information, the device identification information of the mobile device, and the

position information, (as above, note the program uses at least device information as

discussed above, GPS information from the core device and the map information

gathered from the computer)

and the control unit causes the display unit to display a navigation screen for the mobile

unit based on the navigation information, (Col 5, lines 46-59)

when connected to the indoor device, the acquiring unit acquires the device

identification of the indoor device and the command information, (as above, note that

driver or programmatic information is required to assure proper operation and

additionally other information is gathered such as map information and planning inputs)

the generating unit generates request information for requesting predetermined

information on navigation for the mobile device, based on the device identification

information of the indoor device and the command information, (as above – note this

does not distinguish from the disclosed "push maps to card" function as disclosed in Col

5, lines 13-27)

and the control unit causes the communication unit to acquire the predetermined

information from the information source based on the request information. (as above)

Regarding claim 28, claim 28 is rejected for substantially the same reason as claim 27

above

Regarding claim 29, While Hale does not specifically disclose the indoor device having

display information shown, it would have been obvious to one of ordinary skill in the art

at the time of the invention to include elements from the GUI present in the outdoor

device in order to see information gathered from the "harvest" function used within.

Regarding claim 30, claim 30 is rejected for substantially the same reason as claim 27 above. Note that this is no different from when a new map is pushed from the computer to the memory card.

Regarding claim 31. claim 31 is rejected for substantially the same reason as claim 30 above. Note the embodiment works off of the map data present.

Regarding claim 34, claim 34 is rejected for substantially the same reason as claim 29 above.

Regarding claim 35, claim 35 is rejected for substantially the same reason as claim 27 above.

Regarding claim 36, claim 36 is rejected for substantially the same reason as claim 27 above. Note it would have been obvious to one of ordinary skill in the art at the time of the invention to use a mobile computer such as a laptop when available to facilitate updates as it is a standard computing platform and would require no modification to run and it would allow portability.

Regarding claim 38, claim 38 is rejected for substantially the same reason as claim 37 above. Additionally the examiner would like to note that audio indications are well known and appreciated in the art at the time of the invention and it would have been

both trivial and obvious to one of ordinary skill in the art at the time of the invention to

use an audio functionality for important events within operation.

Regarding claim 39, claim 39 is rejected for substantially the same reason as claim 30

above.

Regarding claim 40, while hale does not disclose user-updatable sound files, sound

preferences are well known in the art at the time of the invention and it would have been

obvious to allow a user to chose a sound profile they prefer. Additionally and as such, it

would have been obvious to push changes in the sound profile to the device in order to

make them operable.

Regarding claim 41, claim 41 is rejected for substantially the same reason as claim 40

above.

Regarding claim 42, claim 42 is rejected for substantially the same reason as claim 38

above.

Regarding claim 43, claim 43 is rejected for substantially the same reason as claim 38

above.

Regarding claim 44, claim 44 is rejected for substantially the same reason as claim 28

above

Regarding claim 45, claim 45 is rejected for substantially the same reason as claim 45

above.

Regarding claim 46, claim 46 is rejected for substantially the same reason as 41 above.

Regarding claim 47 claim 47 is rejected for substantially the same reason as claim 38

above.

8.   Claims 32, 33 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Hale et al. (US 5,938,709) hereafter "Hale" in view of Kohli et al. (US

6,041,280) hereafter "Kohli."

Regarding claim 32. Hale does not specifically disclose the claimed limitations, however

Kohli discloses when the portable information processor is connected to the indoor

device, the acquiring unit acquires route setting command from the input unit, (Col 6,

lines 19-44; Col 7, lines 8-17)

the generating unit generates request information to request route information for route

setting based on the route setting command, (Col 6, lines 19-44; Col 7, lines 8-17) and

the control unit causes the communication unit to acquire the route information based

on the request information. (Col 5, lines 45-49; Col 6, lines 19-44; Col 7, lines 8-17)

While Hale is directed towards a GPS implementation for farm equipment, it would have

been obvious to one of ordinary skill in the art at the time of the invention to segment an

in-car GPS system in a similar manner in order to facilitate updates to an in-dash GPS

system and to allow in interface to update and use navigation information similarly.

Regarding claim 33, Hale does not specifically disclose the claimed limitations, however

Kohli discloses wherein

when the portable information processor is connected to the indoor device, the

acquiring unit acquires the route information, (Col 6, lines 19-44; Col 7, lines 8-17)

the generating unit generates route guidance information to enable the mobile device to

perform route guiding to a destination based on the route information and the map

information, (Col 6, lines 19-44; Col 7, lines 8-17) and

the storage unit stores the route guidance information, (Col 6, lines 19-44; Col 7, lines

8-17) and

when the portable information processor is connected to the mobile device, the

generating unit generates the navigation information based on the route guidance

information. (Col 6, lines 19-44; Col 7, lines 8-17)

While Hale is directed towards a GPS implementation for farm equipment, it would have been obvious to one of ordinary skill in the art at the time of the invention to segment an in-car GPS system in a similar manner in order to facilitate updates to an in-dash GPS system and to allow in interface to update and use navigation information similarly.

Regarding claim 37, claim 37 contains limitations similar to claims 32 and 33 above and is rejected for substantially the same reason.

Response to Arguments

Regarding arguments in regard to claims 25 and 26; arguments with regard to claims 25 and 26 have been considered but are moot in light of the new grounds of rejection which was necessitated by amendment.

Regarding applicant's assertion that a memory card would not "generate operation information" the argument has been considered but is not deemed to be persuasive. Specifically the term "generating" is overbroad and in context could simply mean "providing via bus" which Hale is fully capable and disclosed as doing. Further, because this "operation information" is only "**indicative** of an operation" (emphasis added) it is not necessarily the operation itself, but it could easily be a mere input to the overall operation or a portion of a stored procedure. Because the disclosure of Hale providing stored information via bus quite easily reads upon this limitation, the argument remains non-persuasive.

Conclusion

9.   The prior art made of reference in this office action is as follows:

      a.   Hale et al. (US 5,938,709)

      b.   Chu-Chia et al. (US 6,646,873)

      c.   Kohli et al. (US 6,041,280)

10.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRUCE A. WITZENBURG whose telephone number is (571)270-1908. The examiner can normally be reached on M-F 9:00 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bruce A Witzenburg/
Examiner, Art Unit 2166

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Primary Examiner, Art Unit 2161